

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ESTATE OF JAMES OSCAR SMITH and
HEBREW HUSTLE, INC.,

Case No. 14-cv-2703 (WHP)(RLE)

Plaintiffs,

NOTICE OF MOTION

v.

CASH MONEY RECORDS, INC. *et al.*,

Defendants.

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AUBREY DRAKE GRAHAM,

Counterclaim Plaintiff,

v.

HEBREW HUSTLE INC.,

Counterclaim Defendant,

and

STEPHEN HACKER,

Additional Counterclaim Defendant.

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PLEASE TAKE NOTICE that upon the Declaration of Anthony Motta, dated February 2, 2018, and the Exhibits attached thereto, and upon all prior pleadings and proceedings heretofore had herein, the Counterclaim-Defendants, HEBREW HUSTLE, INC. and STEPHEN HACKER, will move this Court before the Honorable William H. Pauley III, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, pursuant to Fed. R. Civ. P. 37 (c)(1) to preclude the declarations of Aubrey Drake and Larry Tyler, and any evidence relating to the alleged commercial value of the name or image of the Counterclaim-Plaintiff, Aubrey Drake Graham, from being submitted in support of Counterclaim-Plaintiff's motion for summary

judgment, or in opposition to the motion for summary judgment of the Counterclaim-Defendants, or in the event the declaration of Larry Tyler is not precluded, striking the statements in the declaration not made on personal knowledge or premised on hearsay, together with such other and further relief as this Court deems necessary and appropriate.

Dated: New York, New York
February 2, 2018

____s/_____
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